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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Butte)

THE PEOPLE,

Plaintiff and Respondent,

v.

JASON MARTIN SCOTT,

Defendant and Appellant.

C087109

(Super. Ct. No. 17CF03640)

Appointed counsel for defendant Jason Martin Scott asks this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

BACKGROUND

Case No. 17CF03640

On July 22, 2017, defendant broke into a commercial building; he damaged portions of the building's interior and stole flashlights, a drill, and other items, resulting in total loss to the victim of \$5,485. The following day, defendant's wallet and driver's license were found outside that building. Three days later, on July 26, 2017, defendant was seen in an alleyway near the driveway of a residence moments before it was discovered that the residence had been burglarized and several valuable items were missing, including a \$3,000 gold ring. Defendant was found with the stolen ring, drill, a flashlight, and other missing items.

Defendant pleaded no contest to count 1, residential burglary (Pen. Code, § 459),¹ and count 4, vandalism (§ 594, subd. (a)). The remaining counts were dismissed. The trial court sentenced defendant to serve the upper term of 6 years in state prison on count 1 and an additional 8 months on count 4, imposed various fines and fees, and awarded him 301 days of presentence credit (151 actual and 150 conduct).

Case No. 18CF00646

On January 31, 2018, defendant had an argument with a woman he was in a personal relationship with, put his hands on her, and restrained her movements.

Defendant pleaded no contest to count 4 of the amended complaint, false imprisonment (§ 236), a misdemeanor, and count 5, trespassing (§ 602, subd. (o)), a misdemeanor; the remaining counts were dismissed.

The trial court sentenced defendant to serve 1 year on count 4 and 6 months on count five, to run concurrent with any other sentence (i.e., case No. 17CF03640), and the court imposed various fines and fees.

Defendant appeals. He did not obtain a certificate of probable cause.

¹ Undesignated statutory references are to the Penal Code.

DISCUSSION

Counsel filed an opening brief setting forth the facts of the case and requests that we review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Defendant was advised of his right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant since the opening brief was filed.

Having examined the record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

_____/s/
HOCH, J.

We concur:

_____/s/
RAYE, P. J.

_____/s/
RENNER, J.